

LAW OFFICES

**GULLETT, SANFORD, ROBINSON & MARTIN, PLLC**

230 FOURTH AVENUE, NORTH, 3RD FLOOR  
POST OFFICE BOX 198888  
NASHVILLE, TENNESSEE 37219-8888

TELEPHONE (615) 244-4994  
FACSIMILE (615) 256-6339

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PHILLIP W. WELTY  
JOHN D. LENTZ  
OF COUNSEL  
B. B. GULLETT  
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December 10, 1999

VIA HAND DELIVERY

Mr. David Waddell  
Executive Secretary  
Tennessee Regulatory Authority  
460 James Robertson Parkway  
Nashville, TN 37201

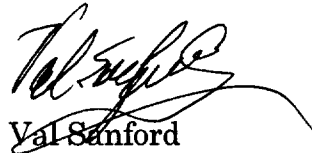
In Re: *AT&T Communications of the South Central States, Inc.*  
*Tariff to Implement an Intrastate Directory Assistance Charge*

Docket No. 99-00757

Dear Mr. Waddell:

Enclosed are the original and thirteen copies of the Reply of AT&T Communications of the South Central States, Inc. to the Consumer Advocate Division's first amendment to its Complaint filed in this matter. Copies are being served on the Consumer Advocate Division, the only other party to this proceeding.

Yours very truly,

  
Val Sanford

VS/ghc  
Enclosures

cc: Vance Broemel, Esq.  
James P. Lamoureux, Esq.  
Garry Sharp

**FILE**

**BEFORE THE TENNESSEE REGULATORY AUTHORITY  
NASHVILLE, TENNESSEE**

**IN RE:**        *AT&T Communications of the South Central States, Inc.  
Tariff to Implement an Intrastate Directory Assistance  
Charge*

**Docket No. 99-00757**

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**REPLY OF AT&T COMMUNICATIONS OF THE SOUTH CENTRAL  
STATES, INC. TO CONSUMER ADVOCATE DIVISION'S FIRST  
AMENDMENT TO ITS COMPLAINT REGARDING AT&T'S PUBLIC  
NOTICE OF PROPOSED RATE INCREASE**

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AT&T Communications of the South Central States, Inc. (here sometimes "AT&T") files this reply to the Consumer Advocate Division's ("CAD") first amendment to its Complaint filed in this matter. AT&T asks that the CAD's Complaint, including the first amendment thereto be dismissed on the grounds that:

1.        The CAD's original Complaint, as demonstrated in AT&T's reply thereto, was based on an erroneous assumption as to what notice was published. The CAD's original Complaint was manifestly without merit.

2.        The CAD's Amended Complaint is likewise erroneous and manifestly without merit.

3.        The first ground of the CAD's Amended Complaint is that the notice published by AT&T did not state the reasons as required by Rule 1220-4-1-.05. However, as the CAD well knows, the notice here is not published pursuant to Rule 1220-4-1-.05, but rather is published pursuant to Rule 1220-4-2-.55(2)(e)2. Rule 1220-4-1-.05 is by its terms concerned with "Petitions for Revisions of Rates" of public utilities generally,

requires, among other things, “a summary of the proposed changes and the reasons for them” to be made available at each of the utility’s business offices, requires that the notice, “state the date and place where the application will be heard by the commission, if known,” and requires the filing of a statement “on or before the date of the hearing that the above notice has been published and posted, together with the date and location of said posting and publication, as required by this rule.” Rule 1220-4-2-.55(2)(e)2 deals specifically with the notice of tariff filings by IXC’s, not with “Petitions for Revision of Rates” under Rules 1220-4-1-.05. The notice of the tariff filing by an IXC is not governed by the rule pertaining to “Petitions for Revision of Rates” applicable to public utilities generally. The notice published by AT&T complies with the rule governing tariff filings by IXC’s, Rule 1220-4-2-.55(2)(e)2.

4. The second ground of the CAD’s Amended Complaint is that “the notice fails to properly identify the persons to whom it is addressed because it is given to customers of an entity identified as “AT&T Communications of the South Central States, Inc.,” not customers of “AT&T” the name appearing on the bills of customers of “AT&T.” However, AT&T Communications of the South Central States, Inc. is the entity holding a certificate of convenience and necessity to operate in Tennessee intrastate commerce as an interexchange carrier, is the entity filing the tariff which is the subject of the notice, and therefore, is the entity whose customers should receive the notice. “AT&T” is a general, brand name. To have filed the notice under that general name would have been misleading – as the CAD would no doubt have pointed out, had that been done. The “contract” with the customers is the tariff and the tariff is issued by AT&T

Communications of the South Central States, Inc. Even under the CAD's analysis, the notice should be in the name of the entity issuing the tariff.

5. The baseless nature of the CAD's Complaint, and of its amendment, demonstrates that the CAD is not acting to protect the interests of Tennessee consumers, but rather is seeking to use its powers to harass AT&T.

The CAD's Complaint, as amended, should be dismissed.

Respectfully submitted,



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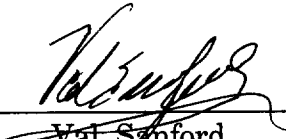
Val Sanford, #3316  
GULLETT, SANFORD, ROBINSON & MARTIN, PLLC  
230 Fourth Avenue North, 3rd Floor  
P.O. Box 198888  
Nashville, TN 37219-8888  
(615) 244-4994

James P. Lamoureux, Esq.  
AT&T  
Room 4068  
1200 Peachtree Street N.E.  
Atlanta, GA 30309  
(404) 810-4196

Attorneys for AT&T Communications of the  
South Central States, Inc.

**CERTIFICATE OF SERVICE**

I, Val Sanford, hereby certify that a copy of the foregoing Reply of AT&T Communications of the South Central States, Inc. to the Consumer Advocate Division's First Amendment to its Complaint was served on the following via Hand-Delivery, this 10<sup>th</sup> day of December, 1999.

  
\_\_\_\_\_  
Val Sanford

Vance L. Broemel  
Assistant Attorney General  
Consumer Advocate Division  
425 5<sup>th</sup> Avenue, North  
Nashville, TN 37243